

(4) Petitioner's motion to appoint counsel, [ECF 12], is **DENIED**; and

(5) The Clerk of Court is directed to mark this matter **CLOSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court

Slack, 529 U.S. at 484. Under these circumstances, there is no basis for the issuance of a certificate of appealability.